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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,781	06/22/2001	Carol Ann	END920000180US1	8707
7590	11/07/2005		EXAMINER	
Karuna Ojanen 2665 Riverside Ln NE Rochester, MN 55906			THAI, CANG G	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/887,781

Applicant(s)

ANN ET AL.

Examiner

Cang G. Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6-10 and 13-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4, 6-10, 13-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The amendment filed on 07/21/2005 has been entered.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4, 6-10 and 13-30 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0032092 (CALVER).

As for Claim 1, CALVER discloses an enterprise system for modeling the operation of a business enterprise and its information processing, the system, comprising:

a first architectural portion integrated in a database, the first architectural portion comprising business operations and objectives of the business enterprise {See Fig. 4, Element 92 and Page 4, Paragraph [0046], Lines 8-10, wherein this reads over "client application program 92 may be utilized in association with computer 10 of FIG. 2 and the implementation of computer 10, as illustrated in FIG. 3"};

a second architectural portion integrated in the database, the second architectural portion comprising an information technology processing system which the

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business uses to conduct its business {See Fig. 4, Element 88 and Page 4, Paragraph [0046], Lines 6-8, wherein this reads over "server 88 can be a remote computer system accessible over the Internet or other communication network"}; and

whereby changes to one of the architectural portions are assessed for impact on the other of the architectural portions prior to implementation {See Fig. 4, Element 90 and Page 4, Paragraph [0051], Lines 1-3, wherein this reads over "by utilizing this interface, and HTTP responses 90, server 88 may notify the client of the results of the execution upon completion"}.

As for Claim 2, CALVER discloses the enterprise of Claim 1, further comprising a function of governance, which allows for the objectives of the business to be included in the database and reflected in the enterprise system {See Fig. 10, Element 180 and Paragraph [0110], Lines 1-3, wherein this reads over "FIG. 10 depicts a high-level flow chart of operations 180 illustrative of a method for implementing the Brochureware section"}.

As for Claim 4, CALVER discloses the enterprise system of Claim 2, further comprising a navigator for using and modifying the architectural portions {See Fig. 13, Element 236 and Page 12, Paragraph [0133], Lines 10-14, wherein this reads over "'management best practices" is defined in documentation regarding the best practices in small business"}.

As for Claim 6, CALVER discloses the enterprise system for modeling the operation of a business enterprise and its information technology processing of Claim 1 wherein the strategic direction, capabilities and principles of the business enterprise are

integrated with the database {See Fig. 15, Element 274 and Page 12, Paragraph [0136], Lines 8-10, wherein this reads over "column 274 provides a list of "interactive and marketing tools" that are also available via the small business web portal"}.

As for Claim 7, CALVER discloses a method of modeling the business of an enterprise, the steps of the method comprising:

starting with a generic template which applies across industries to a business architecture and its information technology architecture {See Fig. 10, Element 194 and Page 10, Paragraph [0111], Lines 1-5, wherein this reads over "the first questionnaire provided by the brochure application can be implemented as a combination of the product oriented pre-qualifying templates and the sales process drill down"};

customizing the generic template for the specific industry and the uniqueness of the enterprise {See Fig. 10, Element 196 and Page 1, Paragraph [0112], Lines 1-4, wherein this reads over "the information returned to the user can directly address the requested product information and push relevant products from other providers, as indicated thereafter at block 196"}; and

using changes in the business objectives to reflect changes in the information technology architecture and the business architecture {See Fig. 10, Element 198 and Page 10, Paragraph [0112], Lines 4-7, wherein this reads over "users have the opportunity to select either any one or several of the products that may interest them. Following completion of the operation described at block 196"}.

As for Claim 8, CALVER discloses the method of Claim 7 further comprising a front-end navigator to access to the business architecture and the information

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technology architecture {See Fig. 11, Element 208 and Page 11, Paragraph [0117], Lines 7-10, wherein this reads over “online text of a newsletter, as illustrated at block 206, and/or management best practices, as depicted at block 208, are accessible from a navigational bar graphically displayed on the web-based portal homepage”}.

As for Claim 9, CALVER discloses a method of coordinating a business-architecture for an organization with its information technology architecture to provide a single structure for considering the effects of changes in the organization, the steps of the method comprising:

setting forth the direction, the capabilities and the principles of the organization {See Fig. 13, Element 234};

organizing the business architecture for the organization including its business information and processes and coupling the processes to the capabilities of the organization, the business architecture stored in a database {See Fig. 13, Element 236};

organizing the information technology architecture of the organization including its application software and data and coupling the application software to the processes of the business architecture and to the principles of the organization and coupling the data to the business information, whereby changes to the business architecture flow to the information technology architecture of the organization and changes in the business architecture flow to the information technology architecture of the organization {See Fig. 14, Element 242}.

As for Claim 10, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the method further includes the step

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of providing a front-end navigator to the business architecture and the information technology architecture for ease in accessing information within the architectures {See Fig. 15, Element 276}.

As for Claim 13, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the business architecture includes a business structure, organization units, roles and responsibilities and features and functions as well as events which influence the processes {See Fig. 10, Element 182}.

As for Claim 14, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the information technology architecture includes reference architectures and current IT environment which influence an enterprise technology framework and the application software {See Fig. 12, Element 216}.

As for Claim 15, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the architectures are prepared in a generic format and then the method includes the step of customizing the architectures to apply to a particular instance {See Fig. 13, Element 232}.

As for Claim 16, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 15 wherein the step of customizing the architectures to a particular instance includes the step of customizing the architectures to apply to a particular industry {See Fig. 13, Element 236}.

As for Claim 17, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 15 wherein the step of customizing the

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architectures to a particular instance includes the step of customizing the architectures to apply to a particular organization {See Fig. 14, Element 246}.

As for Claim 18, CALVER discloses the enterprise system of Claim 2, further comprising an organization section integrated in the database describing an organization structure of the business enterprise, an organization structure of the information technology processing system, roles and responsibilities of members of the business enterprise, inventory of skills, education and training of members of the business enterprise, and the policies and practices of the business enterprise, and the organization structures {See Fig. 6, Element 107}.

As for Claim 19, CALVER discloses the enterprise system of Claim 18, further comprising a business information technology alignment section integrated in the database describing strategies for the business operations and the information technology processing system {See Fig. 12, Element 214}.

As for Claim 20, CALVER discloses the enterprise system of Claim 19, further comprising an enterprise section integrated in the database describing capabilities of the business operations and the information technology processing system {See Fig. 14, Element 246}.

As for Claim 21, CALVER discloses the enterprise system of Claim 20, further comprising a plans section integrated in the database describing business plans, information technology plans, projects, transitions, and organization and change plans {See Fig. 15, Element 276}.

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As for Claim 22, CALVER discloses the enterprise system of Claim 21, further comprising a groups section integrated in the database describing at least one user group and how the at least one user group affects the business enterprise {See Fig. 15, Element 274}.

As for Claim 23, CALVER discloses the enterprise system of Claim 22, further comprising a products section integrated in the database, the products sections coupled to an architectural building block section {See Fig. 14, Element 242}.

As for Claim 24, CALVER discloses the enterprise system of Claim 23, further comprising a standards section integrated in the database, the standards section coupled to the architectural building block section {See Fig. 14, Element 242}.

As for Claim 25, CALVER discloses the enterprise system of Claim 24, further comprising a principles section integrated in the database, the principles section coupled to the enterprise section, the architectural building blocks, and the business information technology alignment section describing how each of a plurality of principles applies and is used {See Fig. 14, Element 246}.

As for Claim 26, CALVER discloses the enterprise system of Claim 25, further comprising a business section integrated in the database, the business section describing details of the business areas and units, unit plans, business locations, processes and activities and needs {See Fig. 15, Element 272}.

As for Claim 27, CALVER discloses the enterprise system of Claim 26, further comprising a reference architecture section integrated in the database describing reference architectures and models business plans {See Fig. 16, Element 290}.

As for Claim 28, CALVER discloses the enterprise system of Claim 27, wherein the information technology processing system further comprises application software to process business information {See Fig. 2, Element 53}.

As for Claim 29, CALVER discloses the enterprise system of Claim 28, further comprising a delivery environment defined by the application software, data storage systems, data implementation systems to the business locations using products and standards described in the products sections and the standards section, respectively {See Fig. 2, Element 51}.

As for Claim 30, CALVER discloses an enterprise system for modeling the operation of a business enterprise and its information processing, the system comprising:

- (a) a first business architecture portion integrated in a database comprising business operations and objectives of the business enterprise {See Fig. 2, Element 50};

- (b) a second information technology architecture portion integrated in the database comprising an information technology processing system having application software to process business information which the business uses to conduct its business {See Fig. 2, Element 51};

- (c) a governance function integrated in the database comprising the objectives of the business enterprise system {See Fig. 2, Element 53};

- (d) a navigator for using and modifying the architecture portions {See Fig. 4, Element 86};

(e) a strategic direction, capabilities and principles of the business enterprise are integrated with the database {See Fig. 14, Element 246};

(f) an organization section integrated in the database describing an organization structure of the business enterprise, an organization structure of the information technology processing system, roles and responsibilities of members of the business enterprise, inventory of skills, education and training of members of the business enterprise, and the policies and practices of the business enterprise, and the organization structures {See Fig. 6, Element 107}.

(g) a business information technology alignment section integrated in the database describing strategies for the business operations and the information technology processing system {See Fig. 12, Element 214};

(h) an enterprise section integrated in the database describing capabilities of the business operations and the information technology processing system {See Fig. 14, Element 246};

(i) a plans section integrated in the database describing business plans, information technology plans, projects, transitions, and organization and change plans {See Fig. 15, Element 276};

(j) a groups section integrated in the database describing at least one user group and how the at least one user group affects the business enterprise {See Fig. 15, Element 274};

(k) a products section integrated in the database and coupled to an architectural building block section {See Fig. 14, Element 242};

(l) a standards section integrated in the database and coupled to the architectural building block section {See Fig. 14, Element 242};

(m) a principles section integrated in the database, the principles section coupled to the enterprise section, the architectural building blocks, and the business information technology alignment section describing how each of a plurality of principles applies and is used {See Fig. 14, Element 246};

(n) a business section integrated in the database, the business section describing details of the business areas and units, unit plans, business locations, processes and activities and needs {See Fig. 15, Element 272};

(o) a reference architecture section integrated in the database describing reference architectures and models business plans {See Fig. 16, Element 209}; and

(p) a delivery environment defined by the application software, data storage systems, data implementation systems to the business locations using products and standards described in the products sections and the standards section {See Fig. 2, Element 51}, respectively

whereby changes to one of the architecture portions are assessed for impact on the other of the architecture portions prior to implementation.

Response to Arguments

3. Applicant's arguments filed 07/21/2005 have been fully considered but they are not persuasive.

CARVER teaches the business and the information technology systems integrated into a single database in Column 3, Paragraph [0043], Lines 5-8, wherein this

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reads over "control program 51 can be configured as or included a computer program product 53, which can also be referred to simply as a program product".

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

No claims are allowed.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT
10/02/2005



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